

Samuel Remsburg, trustees, unto Henry R. Smeltzer dated April 1, 1851 and recorded among said Land Records in Liber E.S. 7, folio 661, et seq.

THIRD: That there is no estate of record in this County for the said Henry R. Smeltzer although it is believed that he died February 20, 1875 according to Names in Stone, a book tracing the names of Frederick County decedents from gravestone documentation.

FOURTH: It is believed and therefore averred that the said Henry R. Smeltzer was survived by his wife, Sallie A. Smeltzer, a/k/a Sarah A. Smeltzer who died October 29, 1882 and whose will was admitted to Probate among the Will Records of Frederick County, Maryland on November 13, 1882 in Will Liber JPP-1, folio 310.

FIFTH: According to the terms of the Will of the said Sallie A. Smeltzer, her interest in said real estate passed unto her daughters, Mary A. Herring and Sarah C. Kepler, and Daniel E. Kefauver, trustee, for Charles B. Smeltzer, her grandson. A careful review of said Land Records indicates the executrix under said Will (Sarah C. Kepler) did not exercise the power of sale contained in said Will nor was there a conveyance of record by the other heirs named in this paragraph.

SIXTH: That said Henry R. Smeltzer was survived by a son, H. Edwin W. Smeltzer. A careful examination of said Land Records indicates no conveyance of any interest in the subject real estate by the said H. Edwin W. Smeltzer.

SEVENTH: That no other heirs, assignees, grantees or devisees appear among said Land Records of the subject real estate.

EIGHTH: That your Plaintiff and his predecessors in title have constructively and peaceably possessed the subject property for a period greatly